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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/723,161	11/27/2000	Satoshi Esaka	FUJZ 18.001	4217
26304	7590	03/28/2006	EXAMINER	
KATTEN MUCHIN ROSENMAN LLP			NGUYEN, HUY D	
575 MADISON AVENUE			ART UNIT	
NEW YORK, NY 10022-2585			PAPER NUMBER	
			2617	

DATE MAILED: 03/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/723,161

Applicant(s)

ESAKA, SATOSHI

Examiner

Huy D. Nguyen

Art Unit

2681

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 1/5/2005 have been fully considered but they are not persuasive.

In the remarks filed 1/5/2005, the applicants submitted that Bufferd does not suggest connecting a call to the mobile exchange to provide the mobile exchange with user information when the mobile terminal transmits a location registration demand message with the user information. The examiner responds that in cellular communications, when a mobile device is first turned on or enters a visited network, the mobile device sends a location registration message along with its MIN (mobile identification number) to the base station controller through the base station which the mobile device belongs to. The base station controller will send the location updating request message to the mobile switching center (MSC).

The applicant also submitted that Bufferd does not teach providing the database with accounting information of a facilities rate. The examiner responds that in cellular communications, when the roaming subscriber initiates a call, the VLR queries the identified prepaid subscriber database to determine rate information for the call.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1, 3-5, 9, 12, 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Bufferd et al. (U.S. Patent No. 5,706,330).

Regarding claims 1, 3, 12, Bufferd et al. disclose a mobile communication system comprising: a mobile terminal, a mobile exchange (e.g., MSC) having a database for holding accounting information of the mobile terminal (see figure 3), and a mobile terminal controller, provided in an offerer of pay facilities, for transmitting dummy or random location information to the mobile terminal carried by a user of the pay facilities, for connecting a call to the mobile exchange to provide the mobile exchange with user information when the mobile terminal transmits a location registration demand message with the user information in response to the location information, for notifying the mobile terminal of the user information when the mobile exchange retrieves the user information in the database, and for providing the database with accounting information of a facilities rate (col. 2, lines 48-67, col. 3, lines 1-11).

Regarding claims 4-5, 9, 17, Bufferd et al. disclose the mobile communication system as claimed in claim 1 wherein the mobile exchange has means for storing which mobile exchange's database holds which user information, and means for retrieving a database of another mobile exchange which holds the user information from the storing means to demand the other mobile exchange to retrieve the user information when the mobile exchange can not retrieve the user information from its database (col. 9, lines 56-64).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2681

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 2, 6-8, 10-11, 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bufferd et al. in view of Brendzel et al. (U.S. Patent No. 5,706,031).

Regarding claims 2, 6, 10-11, 13-14, Bufferd et al. fail to teach means for transmitting the location information when an interruption of a light source by a user of the mobile terminal occurs and for suspending the transmission when the user information is received. Brendzel et al. teach position detection using a light source and a photo transistor (col. 3, lines 29-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to use the position detection technique as disclosed in Brendzel et al. in the system of Bufferd et al. in order to monitor the position of the mobile terminal.

Regarding claims 7, 15, the examiner takes official notice that display means has been well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to use display means for user's convenience.

Regarding claims 8, 16, the examiner takes official notice that password inputting means and password checking means are well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to use password inputting means and password checking means for security purpose.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Huy Nguyen



JOSEPH FEILD
SUPERVISORY PATENT EXAMINER